



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

Daniel McGrath  
American Oversight  
1030 15th St NW  
Washington, DC 20005

MAR 20 2019

Re: FOIA-2019-00338  
All records re: political appointees  
entering the FTC from  
January 20, 2017 to present.

Dear Mr. McGrath:

This is the second and final response to your request dated January 18, 2019 under the Freedom of Information Act seeking specific information on "all employees who entered into a position at the agency as 'political appointees' since January 10, 2017." In accordance with the FOIA and agency policy, we have searched our records on March 7, 2019.

Your request for a waiver of fees as a member of the news media has been granted.

We have located 374 pages of responsive records in response to items 4(b) and 4(c) of your request. All of the responsive records are exempt from the FOIA's disclosure requirement as explained below. Accordingly, we are denying your request.

The responsive records contain staff analyses, opinions, and recommendations. Those portions are deliberative and pre-decisional and are an integral part of the agency's decision making process. They are exempt from disclosure under FOIA Exemption 5, 5 U.S.C. § 552(b)(5). *See NLRB v. Sears, Roebuck & Co.*, 421 U.S. 132 (1975). Some of the materials are exempt from disclosure as attorney-client communications. *See Upjohn Co. v. United States*, 499 U.S. 383 (1981); and *Mead Data Cent., Inc. v. Department of the Air Force*, 566 F.2d 242 (D.C. Cir. 1977). Additionally, some records are exempt because they constitute deliberative, inter-agency communications. *See Hoover v. U.S. Dep't of the Interior*, 611 F.2d 1132, 1138 (5th Cir. 1980).

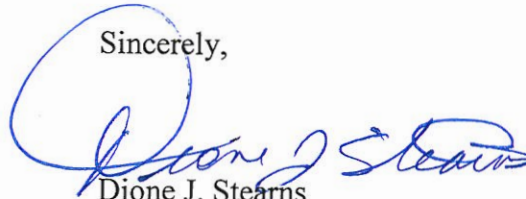
If you are not satisfied with this response to your request, you may appeal by writing to Freedom of Information Act Appeal, Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580, or via email at [FOIAAppeal@ftc.gov](mailto:FOIAAppeal@ftc.gov), within 90 days of the date of this letter. Please enclose a copy of your original request and a copy of this response.

You also may seek dispute resolution services from the FTC FOIA Public Liaison Richard Gold via telephone at 202-326-3355 or via e-mail at [rgold@ftc.gov](mailto:rgold@ftc.gov); or from the Office of Government Information Services via email at [ogis@nara.gov](mailto:ogis@nara.gov), via fax at 202-741-5769, or via

mail at Office of Government Information Services (OGIS), National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740.

If you have any questions about the way we are handling your request or about the FOIA regulations or procedures, please contact Mark Brier at 202-326-3699.

Sincerely,



Dione J. Stearns  
Assistant General Counsel